

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Cause No. 1:96-cr-0167-SEB-MJD-01
)	1:15-cr-0163-SEB-MJD-01
JULIUS L. JACKSON,)	
)	
Defendant.)	

REPORT AND RECOMMENDATION

On April 17, 2018 and June 6, 2018, the Court held hearings on the Petition for Warrant or Summons for Offender Under Supervision filed on April 6, 2018. Defendant Jackson appeared in person with his appointed counsel Joseph Cleary and retained counsel Sam Ansell. The government appeared by Kendra Klump, Assistant United States Attorney and Jeff Preston, Assistant United States Attorney. U. S. Parole and Probation appeared by Officer Jason Nutter and Officer Diane Asher.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Jackson of his rights and provided him with a copy of the petition. Defendant Jackson orally waived his right to a preliminary hearing.

2. After being placed under oath, Defendant Jackson admitted violations 1, and 2.
[Docket No. 19.]

3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

**Violation
Number**

Nature of Noncompliance

- 1 **“The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance.”**

Julius Jackson submitted three positive urine drug screens on the following dates; March 9, 2018: positive for cocaine and marijuana; March 20, 2018: positive for cocaine; March 25, 2018: positive for cocaine. All three screens also tested dilute. Additionally the offender submitted two negative and dilute screens on March 12, 2018, and March 22, 2018. The offender admitted he smoked a marijuana "blunt" laced with cocaine to produce the first positive screen. The offender denied drug use to produce the second and third positive screens.

- 2 **“The defendant shall not frequent places where controlled substance are illegally sold, used, distributed, or administered.”**

The offender is buying, possessing and using illegal drugs.

4. The parties stipulated that:

- (a) The highest grade of violation is a Grade B violation.
- (b) Defendant’s criminal history category is VI.
- (c) The range of imprisonment applicable upon revocation of supervised release, therefore, is 21 to 24 months’ imprisonment.

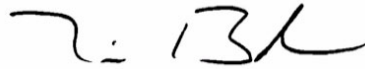
5. Parties jointly recommended a sentence of twelve (12) months and one (1) day with not supervised release to follow. Defendant requested placement at FCI Terre Haute or a facility close to Indianapolis, Indiana.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that his supervised release should be revoked, and that he should be sentenced to the custody of the Attorney General or his designee for a period of twelve (12) months and one (1) day with no

supervised release to follow. The Defendant is to self-surrender at the direction of USPO pending the District Judge's action on this Report and Recommendation. The Magistrate Judge will make a recommendation of placement at FCI Terre Haute or a facility close to Indianapolis, Indiana.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties have fourteen days after being served a copy of this Report and Recommendation to serve and file written objections with the District Judge.

Dated: 06/14/2018

A handwritten signature in black ink, appearing to read 'T. Baker', is positioned above a horizontal line.

Tim A. Baker
United States Magistrate Judge
Southern District of Indiana

Distribution:

All ECF-registered counsel of record via email generated by the court's ECF system

United States Probation Office, United States Marshal

